SENATE BILL No. 563

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-24.

Synopsis: Driver's licenses. Gradually raises the minimum age for the issuance of learner's permits and probationary operator's licenses in future years. Sets requirements for practice driving before a probationary license can be issued. Prohibits a driver with a probationary license from operating a motor vehicle between 9 p.m. and 5 a.m. or while using a cell phone. Sets requirements for the age and number of passengers who may accompany a probationary driver.

Effective: July 1, 2007.

Lawson C

January 23, 2007, read first time and referred to Committee on Corrections, Criminal, and Civil Matters.





First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in this style type, and deletions will appear in this style type.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or *this style type* reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

C

SENATE BILL No. 563

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

WS	
d in	V
lual	

1	SECTION 1. IC 9-24-3-1 IS AMENDED TO READ AS FOLLOWS
2	[EFFECTIVE JULY 1, 2007]: Sec. 1. Except as otherwise provided in
3	this article, the bureau shall issue an operator's license to an individual
4	who meets the following conditions:

- (1) Satisfies the age requirements described in section 2 of this chapter.
- (2) Makes proper application to the bureau under IC 9-24-9 upon a form prescribed by the bureau. The form must include a verification concerning the applicant's completion of the thirty (30) hours of supervised driving practice as required in sections 2, 2.1, 2.2, 2.3, 2.4, and 2.5 of this chapter.
- (3) Satisfactorily passes the examination and tests required for issuance of an operator's license under IC 9-24-10.
- (4) Pays the fee prescribed by IC 9-29-9.

SECTION 2. IC 9-24-3-2, AS AMENDED BY P.L.156-2006, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. Except as provided in section 3 of this chapter,

5

6

7

8

9

10

11 12

13

14

1516

1	an individual must meet one (1) of the following conditions to receive
2	an operator's license:
3	(1) The applicant meets the following conditions:
4	(A) Is at least sixteen (16) years and thirty (30) days of age.
5	(B) Has held a valid learner's permit at least sixty (60) one
6	hundred eighty (180) days.
7	(C) Has obtained an instructor's certification that the applicant
8	has satisfactorily completed an approved driver education
9	course.
10	(D) Has passed the required examination.
11	(E) Completes at least thirty (30) hours of supervised
12	driving practice with a licensed instructor or a licensed
13	driver who is at least twenty-one (21) years of age, of which
14	at least ten (10) hours are nighttime driving.
15	(2) The applicant meets the following conditions:
16	(A) Is at least sixteen (16) years and one hundred eighty (180)
17	days seven (7) months of age.
18	(B) Has held a valid learner's permit for at least sixty (60) one
19	hundred eighty (180) days.
20	(C) Has passed the required examination.
21	(D) Completes at least thirty (30) hours of supervised
22	driving practice with a licensed instructor or a licensed
23	driver who is at least twenty-one (21) years of age, of which
24	at least ten (10) hours are nighttime driving.
25	(3) The applicant meets the following conditions:
26	(A) Is at least sixteen (16) years and one hundred eighty (180)
27	days of age.
28	(B) Has, within the past three (3) years, held an Indiana
29	operator's, chauffeur's, or public passenger chauffeur's license
30	that has not been suspended or revoked.
31	(C) Passes the required examination.
32	(4) The applicant meets the following conditions:
33	(A) Is at least sixteen (16) years and one hundred eighty (180)
34	days of age.
35	(B) Has previously been a nonresident of Indiana but who, at
36	the time of application, qualifies as an Indiana resident.
37	(C) Has held for at least one (1) year an unrevoked operator's,
38	chauffeur's, or public passenger chauffeur's license in the state,
39	district, or county in which the applicant has been a resident.
40	(D) Passes the required examination.
41	This section expires June 30, 2008. The expiration of this section
42	does not affect the validity of an operator's license issued under



1	this section.	
2	SECTION 3. IC 9-24-3-2.1 IS ADDED TO THE INDIANA CODE	
3	AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY	
4	1, 2007]: Sec. 2.1. This section applies beginning July 1, 2008.	
5	Except as provided in section 3 of this chapter, an individual must	
6	meet one (1) of the following conditions to receive an operator's	
7	license:	
8	(1) The applicant meets the following conditions:	
9	(A) Is at least sixteen (16) years and two (2) months of age.	
10	(B) Has held a valid learner's permit at least one hundred	
11	eighty (180) days.	
12	(C) Has obtained an instructor's certification that the	
13	applicant has satisfactorily completed an approved driver	
14	education course.	
15	(D) Has passed the required examination.	
16	(E) Completes at least thirty (30) hours of supervised	
17	driving practice with a licensed instructor or a licensed	
18	driver who is at least twenty-one (21) years of age, of which	
19	at least ten (10) hours are nighttime driving.	
20	(2) The applicant meets the following conditions:	
21	(A) Is at least sixteen (16) years and eight (8) months of	
22	age.	
23	(B) Has held a valid learner's permit for at least one	
24	hundred eighty (180) days.	-
25	(C) Has passed the required examination.	
26	(D) Completes at least thirty (30) hours of supervised	
27	driving practice with a licensed instructor or a licensed	
28	driver who is at least twenty-one (21) years of age, of which	V
29	at least ten (10) hours are nighttime driving.	
30	(3) The applicant meets the following conditions:	
31	(A) Is at least sixteen (16) years and one hundred eighty	
32	(180) days of age.	
33	(B) Has, within the past three (3) years, held an Indiana	
34	operator's, chauffeur's, or public passenger chauffeur's	
35	license that has not been suspended or revoked.	
36	(C) Passes the required examination.	
37	(4) The applicant meets the following conditions:	
38	(A) Is at least sixteen (16) years and one hundred eighty	
39	(180) days of age.	
40	(B) Has previously been a nonresident of Indiana but who,	
41	at the time of application, qualifies as an Indiana resident.	
42	(C) Has held for at least one (1) year an unrevoked	



1	operator's, chauffeur's, or public passenger chauffeur's	
2	license in the state, district, or county in which the	
3	applicant has been a resident.	
4	(D) Passes the required examination.	
5	This section expires June 30, 2009. The expiration of this section	
6	does not affect the validity of an operator's license issued under	
7	this section.	
8	SECTION 4. IC 9-24-3-2.2 IS ADDED TO THE INDIANA CODE	
9	AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY	
0	1, 2007]: Sec. 2.2. This section applies beginning July 1, 2009.	
1	Except as provided in section 3 of this chapter, an individual must	
2	meet one (1) of the following conditions to receive an operator's	
3	license:	
4	(1) The applicant meets the following conditions:	
.5	(A) Is at least sixteen (16) years and three (3) months of	
6	age.	
7	(B) Has held a valid learner's permit at least one hundred	U
8	eighty (180) days.	
9	(C) Has obtained an instructor's certification that the	
20	applicant has satisfactorily completed an approved driver	
21	education course.	
22	(D) Has passed the required examination.	
23	(E) Completes at least thirty (30) hours of supervised	
24	driving practice with a licensed instructor or a licensed	
25	driver who is at least twenty-one (21) years of age, of which	
26	at least ten (10) hours are nighttime driving.	
27	(2) The applicant meets the following conditions:	
28	(A) Is at least sixteen (16) years and nine (9) months of age.	V
29	(B) Has held a valid learner's permit for at least one	
0	hundred eighty (180) days.	
1	(C) Has passed the required examination.	
32	(D) Completes at least thirty (30) hours of supervised	
3	driving practice with a licensed instructor or a licensed	
34	driver who is at least twenty-one (21) years of age, of which	
55	at least ten (10) hours are nighttime driving.	
66	(3) The applicant meets the following conditions:	
57	(A) Is at least sixteen (16) years and one hundred eighty	
8	(180) days of age.	
19	(B) Has, within the past three (3) years, held an Indiana	
10	operator's, chauffeur's, or public passenger chauffeur's	
1	license that has not been suspended or revoked.	
12	(C) Passes the required examination.	



1	(4) The applicant meets the following conditions:	
2	(A) Is at least sixteen (16) years and one hundred eighty	
3	(180) days of age.	
4	(B) Has previously been a nonresident of Indiana but who,	
5	at the time of application, qualifies as an Indiana resident.	
6	(C) Has held for at least one (1) year an unrevoked	
7	operator's, chauffeur's, or public passenger chauffeur's	
8	license in the state, district, or county in which the	
9	applicant has been a resident.	
10	(D) Passes the required examination.	
11	This section expires June 30, 2010. The expiration of this section	
12	does not affect the validity of an operator's license issued under	
13	this section.	
14	SECTION 5. IC 9-24-3-2.3 IS ADDED TO THE INDIANA CODE	
15	AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY	
16	1, 2007]: Sec. 2.3. This section applies beginning July 1, 2010.	
17	Except as provided in section 3 of this chapter, an individual must	
18	meet one (1) of the following conditions to receive an operator's	
19	license:	
20	(1) The applicant meets the following conditions:	
21	(A) Is at least sixteen (16) years and four (4) months of age.	
22	(B) Has held a valid learner's permit at least one hundred	
23	eighty (180) days.	
24	(C) Has obtained an instructor's certification that the	
25	applicant has satisfactorily completed an approved driver	
26	education course.	
27	(D) Has passed the required examination.	
28	(E) Completes at least thirty (30) hours of supervised	V
29	driving practice with a licensed instructor or a licensed	
30	driver who is at least twenty-one (21) years of age, of which	
31	at least ten (10) hours are nighttime driving.	
32	(2) The applicant meets the following conditions:	
33	(A) Is at least sixteen (16) years and ten (10) months of age.	
34	(B) Has held a valid learner's permit for at least one	
35	hundred eighty (180) days.	
36	(C) Has passed the required examination.	
37	(D) Completes at least thirty (30) hours of supervised	
38	driving practice with a licensed instructor or a licensed	
39	driver who is at least twenty-one (21) years of age, of which	
40	at least ten (10) hours are nighttime driving.	
41	(3) The applicant meets the following conditions:	
42	(A) Is at least sixteen (16) years and one hundred eighty	



1	(180) days of age.	
2	(B) Has, within the past three (3) years, held an Indiana	
3	operator's, chauffeur's, or public passenger chauffeur's	
4	license that has not been suspended or revoked.	
5	(C) Passes the required examination.	
6	(4) The applicant meets the following conditions:	
7	(A) Is at least sixteen (16) years and one hundred eighty	
8	(180) days of age.	
9	(B) Has previously been a nonresident of Indiana but who,	
10	at the time of application, qualifies as an Indiana resident.	
11	(C) Has held for at least one (1) year an unrevoked	
12	operator's, chauffeur's, or public passenger chauffeur's	
13	license in the state, district, or county in which the	
14	applicant has been a resident.	
15	(D) Passes the required examination.	
16	This section expires June 30, 2011. The expiration of this section	
17	does not affect the validity of an operator's license issued under	
18	this section.	
19	SECTION 6. IC 9-24-3-2.4 IS ADDED TO THE INDIANA CODE	
20	AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY	
21	1, 2007]: Sec. 2.4. This section applies beginning July 1, 2011.	
22	Except as provided in section 3 of this chapter, an individual must	
23	meet one (1) of the following conditions to receive an operator's	
24	license:	
25	(1) The applicant meets the following conditions:	
26	(A) Is at least sixteen (16) years and five (5) months of age.	
27	(B) Has held a valid learner's permit at least one hundred	
28	eighty (180) days.	V
29	(C) Has obtained an instructor's certification that the	J
30	applicant has satisfactorily completed an approved driver	
31	education course.	
32	(D) Has passed the required examination.	
33	(E) Completes at least thirty (30) hours of supervised	
34	driving practice with a licensed instructor or a licensed	
35	driver who is at least twenty-one (21) years of age, of which	
36	at least ten (10) hours are nighttime driving.	
37	(2) The applicant meets the following conditions:	
38	(A) Is at least sixteen (16) years and eleven (11) months of	
39	age.	
40	(B) Has held a valid learner's permit for at least one	
41	hundred eighty (180) days.	
12	(C) Has passed the required examination.	



1	(D) Completes at least thirty (30) hours of supervised	
2	driving practice with a licensed instructor or a licensed	
3	driver who is at least twenty-one (21) years of age, of which	
4	at least ten (10) hours are nighttime driving.	
5	(3) The applicant meets the following conditions:	
6	(A) Is at least sixteen (16) years and one hundred eighty	
7	(180) days of age.	
8	(B) Has, within the past three (3) years, held an Indiana	
9	operator's, chauffeur's, or public passenger chauffeur's	
10	license that has not been suspended or revoked.	4
11	(C) Passes the required examination.	
12	(4) The applicant meets the following conditions:	`
13	(A) Is at least sixteen (16) years and one hundred eighty	
14	(180) days of age.	
15	(B) Has previously been a nonresident of Indiana but who,	
16	at the time of application, qualifies as an Indiana resident.	4
17	(C) Has held for at least one (1) year an unrevoked	
18	operator's, chauffeur's, or public passenger chauffeur's	
19	license in the state, district, or county in which the	
20	applicant has been a resident.	
21	(D) Passes the required examination.	
22	This section expires June 30, 2012. The expiration of this section	
23	does not affect the validity of an operator's license issued under	
24	this section.	
25	SECTION 7. IC 9-24-3-2.5 IS ADDED TO THE INDIANA CODE	
26	AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY	
27	1, 2007]: Sec. 2.5. This section applies beginning July 1, 2012.	
28	Except as provided in section 3 of this chapter, an individual must	'
29	meet one (1) of the following conditions to receive an operator's	
30	license:	
31	(1) The applicant meets the following conditions:	
32	(A) Is at least sixteen (16) years and six (6) months of age.	
33	(B) Has held a valid learner's permit at least one hundred	
34	eighty (180) days.	
35	(C) Has obtained an instructor's certification that the	
36	applicant has satisfactorily completed an approved driver	
37	education course.	
38	(D) Has passed the required examination.	
39	(E) Completes at least thirty (30) hours of supervised	
40	driving practice with a licensed instructor or a licensed	
41	driver who is at least twenty-one (21) years of age, of which	

at least ten (10) hours are nighttime driving.



1	(2) The applicant meets the following conditions:	
2	(A) Is at least seventeen (17) years of age.	
3	(B) Has held a valid learner's permit for at least one	
4	hundred eighty (180) days.	
5	(C) Has passed the required examination.	
6	(D) Completes at least thirty (30) hours of supervised	
7	driving practice with a licensed instructor or a licensed	
8	driver who is at least twenty-one (21) years of age, of which	
9	at least ten (10) hours are nighttime driving.	
10	(3) The applicant meets the following conditions:	
11	(A) Is at least sixteen (16) years and one hundred eighty	
12	(180) days of age.	
13	(B) Has, within the past three (3) years, held an Indiana	
14	operator's, chauffeur's, or public passenger chauffeur's	
15	license that has not been suspended or revoked.	
16	(C) Passes the required examination.	
17	(4) The applicant meets the following conditions:	
18	(A) Is at least sixteen (16) years and one hundred eighty	
19	(180) days of age.	
20	(B) Has previously been a nonresident of Indiana but who,	
21	at the time of application, qualifies as an Indiana resident.	=4
22	(C) Has held for at least one (1) year an unrevoked	
23	operator's, chauffeur's, or public passenger chauffeur's	
24	license in the state, district, or county in which the	
25	applicant has been a resident.	
26	(D) Passes the required examination.	
27	SECTION 8. IC 9-24-7-1 IS AMENDED TO READ AS FOLLOWS	
28	[EFFECTIVE JULY 1, 2007]: Sec. 1. (a) The bureau shall issue a	W
29	learner's permit to an individual who meets the following conditions:	
30	(1) Is at least fifteen (15) years and two (2) months of age.	
31	(2) If less than eighteen (18) years of age, is not ineligible under	
32	IC 9-24-2-1.	
33	(3) Is enrolled in an approved driver education course.	
34	This subsection expires June 30, 2008.	
35	(b) Effective July 1, 2008, the bureau shall issue a learner's	
36	permit to an individual who meets the following conditions:	
37	(1) Is at least fifteen (15) years and four (4) months of age.	
38	(2) If less than eighteen (18) years of age, is not ineligible	
39	under IC 9-24-2-1.	
40	(3) Is enrolled in an approved driver education course.	
41	This subsection expires June 30, 2009.	
12	(c) Effective July 1, 2009, the bureau shall issue a learner's	



1	permit to an individual who meets the following conditions:
2	(1) Is at least fifteen (15) years and six (6) months of age.
3	(2) If less than eighteen (18) years of age, is not ineligible
4	under IC 9-24-2-1.
5	(3) Is enrolled in an approved driver education course.
6	This subsection expires June 30, 2010.
7	(d) Effective July 1, 2010, the bureau shall issue a learner's
8	permit to an individual who meets the following conditions:
9	(1) Is at least fifteen (15) years and eight (8) months of age.
10	(2) If less than eighteen (18) years of age, is not ineligible
11	under IC 9-24-2-1.
12	(3) Is enrolled in an approved driver education course.
13	This subsection expires June 30, 2011.
14	(e) Effective July 1, 2011, the bureau shall issue a learner's
15	permit to an individual who meets the following conditions:
16	(1) Is at least fifteen (15) years and ten (10) months of age.
17	(2) If less than eighteen (18) years of age, is not ineligible
18	under IC 9-24-2-1.
19	(3) Is enrolled in an approved driver education course.
20	This subsection expires June 30, 2011.
21	(f) Effective July 1, 2012, the bureau shall issue a learner's
22	permit to an individual who meets the following conditions:
23	(1) Is at least sixteen (16) years of age.
24	(2) If less than eighteen (18) years of age, is not ineligible
25	under IC 9-24-2-1.
26	(3) Is enrolled in an approved driver education course.
27	(g) The expiration of subsections (a) through (e) does not affect
28	the validity of a learner's permit issued under one (1) of those
29	subsections.
30	SECTION 9. IC 9-24-7-3 IS AMENDED TO READ AS FOLLOWS
31	[EFFECTIVE JULY 1, 2007]: Sec. 3. (a) The bureau shall issue a
32	validated learner's permit to an individual who is at least sixteen (16)
33	years and two (2) months of age upon passing the required
34	examination. This subsection expires June 30, 2008.
35	(b) Effective July 1, 2008, the bureau shall issue a validated
36	learner's permit to an individual who is at least sixteen (16) years
37	and four (4) months of age upon passing the required examination.
38	This subsection expires June 30, 2009.
39	(c) Effective July 1, 2009, the bureau shall issue a validated
40	learner's permit to an individual who is at least sixteen (16) years
41	and six (6) months of age upon passing the required examination.
42	This subsection expires June 30, 2010.



1	(d) Effective July 1, 2010, the bureau shall issue a validated
2	learner's permit to an individual who is at least sixteen (16) years
3	and eight (8) months of age upon passing the required examination.
4	This subsection expires June 30, 2011.
5	(e) Effective July 1, 2011, the bureau shall issue a validated
6	learner's permit to an individual who is at least sixteen (16) years
7	and ten (10) months of age upon passing the required examination
8	This subsection expires June 30, 2012.
9	(f) Effective July 1, 2012, the bureau shall issue a validated
0	learner's permit to an individual who is at least seventeen (17)
1	years of age upon passing the required examination.
2	(g) The expiration of subsections (a) through (e) does not affect
.3	the validity of a learner's permit issued under one (1) of those
4	subsections.
5	SECTION 10. IC 9-24-11-3, AS AMENDED BY P.L.156-2006,
6	SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7	JULY 1, 2007]: Sec. 3. (a) A license issued to an individual less than
8	eighteen (18) years of age is a probationary license.
9	(b) An individual holds a probationary license subject to the
0.	following conditions:
21	(1) Except as provided in IC 31-37-3, The individual may not
2	operate a motor vehicle during the curfew hours specified in
.3	IC 31-37-3-2. from 9 p.m. until 5 a.m. of the following
4	morning.
.5	(2) During the ninety (90) days following the issuance of the
6	probationary license, the individual may not operate a motor
.7	vehicle in which there are passengers unless another individual:
8.	(A) who:
9	(A) (i) is at least twenty-one (21) twenty-five (25) years of
0	age; and
1	(B) (ii) holds a valid operator's license issued under this
2	article; or
3	(B) who is a certified driver education instructor;
4	is present in the front seat of the motor vehicle.
5	(3) Beginning ninety-one (91) days after the issuance of the
6	probationary license until the individual is seventeen (17)
7	years of age, the individual may not operate a motor vehicle
8	in which there is more than one (1) passenger who is less than
9	eighteen (18) years of age.
0	(3) (4) The individual may operate a motor vehicle only if the
1	individual and each occupant of the motor vehicle has a safety
12	belt, or child passenger restraint system, if the passenger is a



child less than sixteen (16) years of age as required und	der
2 IC 9-19-11, properly fastened about the occupant's body at	all
3 times when the motor vehicle is in motion.	
4 (c) An individual who holds a probationary license issued under t	his
5 section may receive an operator's license, a chauffeur's license, a pub	olic
6 passenger chauffeur's license, or a commercial driver's license when	the
7 individual is at least eighteen (18) years of age.	
8 (d) A probationary license issued under this section:	
9 (1) expires at midnight of the twenty-first birthday of the hold	ler;
10 and	
11 (2) may not be renewed.	
12 (e) An individual who holds a probationary license under t	
chapter may not operate a motor vehicle while using a cellular	or
other wireless communications device.	
	h
	J
	V

